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PART III.

Legislative Measures and Rules thereunder.

No. J. 298—*Legis.* 4-1, *dated the 26th July* 1905.

The following draft of rules proposed to be made under the Mysore Co-operative Societies Regulation, III of 1905, is published for general information. The draft will be taken into consideration on or after the 15th day of August 1905.

By Order,

B. K. VENKATA VARADA IYENGAR,
Secy. to Govt., Gen. & Rev. Dept.

Draft Rules.

1. (1) These Rules may be called the Co-operative Societies Rules, 1905.

(2) "The Regulation" shall mean the Mysore Co-operative Societies Regulation, 1905.

(3) Words defined in the Regulation shall bear the meanings respectively assigned to them therein.

2. (1) Every application for registration of a society under section 6, sub-section (1), of the Regulation shall contain the particulars specified in, and be in the form of, Schedule A.

(2) With every such application two copies of the by-laws proposed for the society shall be submitted.

3. As soon as possible after the receipt of such application, the Registrar shall intimate to the applicants that he has registered the society or communicate his reasons for refusing to do so.

4. Where the Registrar refuses to register a society, an appeal shall lie to the Government, who may direct the Registrar to register the society.

5. (1) The matters in respect of which every society shall make by-laws are the following, namely :—

(*a*) the name and address of the society ;

(*b*) the objects for which the society is established, the purposes for which the funds thereof are applicable, the terms of admission of members, the conditions under which members may obtain loans, and the consequences of default in payment of any sum due by a member ;

(*c*) the mode of holding meetings, the right of voting, and, subject to the provisions of Rules 6 and 7, the manner of making, altering and abrogating by-laws ;

(*d*) the rights and liabilities of membership ;

(*e*) the mode of appointment and removal of a committee and of officers (if any), and the powers and duties of the committee and the officers ;

(*f*) the manner in which capital may be raised by means of shares or debentures, or by borrowing from persons who are not members, or by deposits from members, or otherwise ; and

(*g*) the mode of custody and of investment of the funds and, subject to rules 9 and 12, the mode of keeping the accounts.

(2) Every society may make by-laws in respect of any other matters incidental to the management of its business.

6. When a society has been registered, the by-laws submitted under rule 2, sub-rule (2), shall, subject to any modifications approved by the Registrar, become the by-laws of the society on their being adopted by a majority at a meeting of not less than two-thirds of the members.

7. By-laws may be made, altered or abrogated thereafter in accordance with a resolution passed at a general meeting of the society :

Provided that—

(*a*) due notice of any proposal to make, alter or abrogate is given in accordance with the by-laws ;

(*b*) the resolution is passed by not less than two-thirds of the members present at the general meeting and by not less than half of the total number of the members ; and

(*c*) the making, alteration or abrogation is approved by the Registrar.

8. Where the Registrar refuses approval to the making, alteration or abrogation of any by-laws, an appeal shall lie to the Government who may direct the Registrar to withdraw his refusal.

9. Every society shall keep the following accounts and books, namely :—

(*a*) Register of members and of persons nominated under rule 13 ;

(*b*) Register of shares or debentures (if capital is raised by shares or debentures) ;

(*c*) Cash Account ;

(*d*) Members' Loan Accounts ;

(*e*) Depositors' Accounts ;

(*f*) Interest Account ;

(*g*) Expenses Account ; and

(*h*) Bank Account.

10. Every society shall also keep—

(*a*) a minute-book in which the proceedings of general meetings, and

(*b*) a minute-book in which the proceedings of meetings of the committee

shall be recorded.

11. For the purpose of section 22 of the Regulation, copies of entries in the books of any society may be certified by any officer of the society.

12. On or before a date to be fixed in the by-laws the committee shall publish an annual balance-sheet showing the assets and liabilities of the society. This balance-sheet shall be open to the inspection of any member during office hours at the office of the society, and a copy thereof shall be submitted to the Registrar.

13. (1) Every member of a society may nominate a person to whom or to whose credit the sum specified in section 16 of the Regulation shall be paid or transferred on the death of such member.

(2) The name and address of every person so nominated shall be entered in the register kept under rule 9, clause (*a*).

(3) The value of the share or interest of a deceased member referred to in section 16 of the Regulation shall be ascertained by the committee, who shall for this purpose estimate the respective amounts due from and to such member on the day of his death and deduct the former from the latter.

14. The Registrar shall keep a register of the names and addresses of all societies.

SCHEDULE A.

Form of Application (*See rule* 2.)

1. Name of the society_____

2. Address to be registered_____

3. State whether liability of members is limited or unlimited_____

4. Application to register a society under the above name is made by the persons* whose names are subscribed hereunder.

* Ten or more

5. The matters required by Rules 5 and 12 to be set forth in the by-laws are provided for in the following manner, *viz.* :—

Reference.	Serial numbers of by-laws in which corresponding provision is made.
Rule 5, clause (*a*)	
,, ,, (*b*)	
,, ,, (*c*)	
,, ,, (*d*)	
,, ,, (*e*)	
,, ,, (*f*)	
,, ,, (*g*)	
Rule 12	

6. With this application are sent two copies of the proposed by-laws signed by each of the applicants, and a statement* showing name, age, profession, and place of residence of each of the subscribers.

* See Appendix I.

Signatures (1)_____
(2)_____
(3)_____
(4)_____
(5)_____
(6)_____
(7)_____
(8)_____
(9)_____
(10)_____
(11)_____
(12)_____
(13)_____
(14)_____
(15)_____

Date_____

To

The Registrar, Co-operative Societies,
Bangalore.

APPENDIX I.

Statement showing the particulars referred to in paragraph 6 of Schedule A.

Name and father's name.	Age.	Tribe, class or caste.	Profession.	Place of residence (village, taluk and district).
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				
(7)				
(8)				
(9)				
(10)				
(11)				
(12)				
(13)				
(14)				
(15)				